

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

QVC, INC.

Plaintiff,

v.

CRUISENET CORP.,

Defendant.

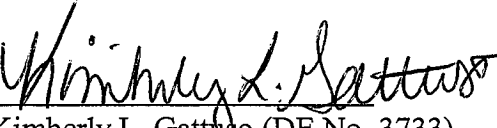
CIVIL ACTION

NO. 07-cv-00335-SLR

MOTION FOR ENTRY OF DEFAULT JUDGMENT  
PURSUANT TO FED. R. CIV. P. 55(a)

NOW COMES Plaintiff, QVC, Inc. ("Plaintiff"), by and through its undersigned counsel, hereby requests that this Court enter a judgment by default against Defendant Cruisenet Corp. ("Defendant"), pursuant to Fed. R. Civ. P. 55(a) for failure to plead or otherwise defend as required by the Federal Rules of Civil Procedure. In support of its Motion, Plaintiff respectfully submits the information contained in the **Declaration of Nathaniel Metz, Esquire** attached hereto as Exhibit "A" and made a part hereof.

SAUL EWING LLP

By:   
Kimberly L. Gattuso (DE No. 3733)  
222 Delaware Avenue, Suite 1200  
P.O. Box 1266  
Wilmington, DE 19899  
(302) 421-6868  
(302) 421-5871 - FAX  
kgattuso@saul.com

and

Nathaniel Metz (admitted *pro hac vice*)  
1200 Liberty Ridge Drive, Suite 200  
Wayne, PA 19087  
(610) 251-5099  
(610) 722-3271 – FAX  
nmetz@saul.com

Dated: June 29, 2007

Counsel for Plaintiff QVC, Inc.

## **EXHIBIT “A”**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

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QVC, INC.

Plaintiff,

v.

CRUISENET CORP.,

Defendant.

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CIVIL ACTION

NO. 07-cv-00335-SLR

DECLARATION OF NATHANIEL METZ, ESQUIRE  
IN SUPPORT OF PLAINTIFF'S MOTION FOR ENTRY OF DEFAULT JUDGMENT  
PURSUANT TO FED. R. CIV. P. 55 (a).

Nathaniel Metz, Esquire, hereby declares as follows:

1. I am an attorney and a partner in the law firm of Saul Ewing LLP, counsel for plaintiff, QVC, Inc., in the above-captioned civil action. I am admitted to appear *pro hac vice* in the within civil action on behalf of plaintiff, QVC, Inc.

2. The Summons and Complaint in the within civil action were personally served upon the registered agent of defendant, Cruisenet Corp. ("Defendant"), effective on June 8, 2007, in accordance with Fed. R. Civ. P. 4(h)(1). A true and correct copy of the Affidavit of Service is attached as Exhibit "1" hereto.

3. As set in the Summons, and in accordance with Fed. R. Civ. P. 12(a)(1)(A), Defendant was required to answer, move or otherwise respond to the Complaint on or before June 28, 2007, but did not do so.

4. The time period in which Defendant was required to answer, move or otherwise respond was not enlarged.

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES THAT THE FOREGOING IS TRUE AND CORRECT

  
NATHANIEL METZ, ESQUIRE

Executed On June 29, 2007

## **EXHIBIT “1”**

AO 440 (Del Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

District of

DELAWARE

QVC, INC.,

PLAINTIFF,

V.

CRUISENET CORP.,

DEFENDANT.

SUMMONS IN A CIVIL ACTION

Case Number:

07-335

TO: (Name and address of Defendant)

CRUISENET CORP.

13615 South Dixie Highway, #114-514

Miami, FL 33176

ATTENTION: David M. Glassberg, Registered Agent

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Kimberly L. Gattuso, Saul Ewing LLP, 222 Delaware Avenue, Suite 1200,

P.O. Box 1266, Wilmington, DE 19899-1266; (302) 421-6868

an Answer to the Complaint which is served on you with this Summons, within twenty (20) days after service of this Summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

MAY 25 2007

PETER T. DALLEO

CLERK

*Quette Waters*  
(By) DEPUTY CLERK

DATE

QVC, Inc., et. al., Plaintiff(s)  
vs.  
Cruisenet Corp., et. al., Defendant(s)



Service of Process by  
**APS International, Ltd.**  
**1-800-328-7171**

APS International Plaza  
7800 Glenroy Road  
Minneapolis, MN 55439-3122

APS File #: 083501-0002

### AFFIDAVIT OF SERVICE -- Corporate

Service of Process on:

--Cruisenet Corp., c/o David M. Glassberg as r/a  
Court Case No. 07-335

SAUL EWING  
Anthony Iannini  
222 Delaware Avenue, Suite 1200  
Wilmington, DE 19801

State of: FLORIDA ) ss.

County of: DADE )

Name of Server: Carlos Aguirre, undersigned, being duly sworn, deposes and says  
that at the time of service, s/he was of legal age and was not a party to this action;

Date/Time of Service: that on the 8<sup>th</sup> day of JUNE, 20 07, at 11:48 o'clock A M

Place of Service: at 13605 SW 73 Ave., in Miami, FL 33126

Documents Served: the undersigned served the documents described as:  
Summons and Complaint and Civil Cover Sheet

Service of Process on: A true and correct copy of the aforesaid document(s) was served on:  
Cruisenet Corp., c/o David M. Glassberg as r/a

Person Served, and  
Method of Service: By delivering them into the hands of an officer or managing agent whose name and  
title is: \_\_\_\_\_

Description of  
Person Receiving  
Documents: The person receiving documents is described as follows:  
Sex M; Skin Color White; Hair Color Grey; Facial Hair NO  
Approx. Age 45; Approx. Height 5'9; Approx. Weight 180 LBS

☐ To the best of my knowledge and belief, said person was not engaged in the US  
Military at the time of service.

Signature of Server: Undersigned declares under penalty of perjury  
that the foregoing is true and correct.

[Signature]  
Signature of Server

Subscribed and sworn to before me this  
8<sup>th</sup> day of June, 20 07  
[Signature]  
Notary Public (Commission Expires)

APS International, Ltd.



Monique A. Patterson  
Commission # DD372873  
Expires: NOV 17, 2008  
www.AARONNOTARY.com



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CIVIL ACTION

NO. 07-cv-00335-SLR

**ORDER**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 2007, Plaintiff QVC, Inc. having filed a Motion for Entry of Default Judgment as to Defendant Cruisenet Corp. and the Court having considered Plaintiff's motion, **IT IS HEREBY ORDERED:**

Plaintiff's Motion for Entry of Default Judgment against Defendant Cruisenet Corp. is GRANTED.

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J.

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

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QVC, INC.

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CRUISENET CORP.,

\_\_\_\_\_  
Defendant.

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CIVIL ACTION

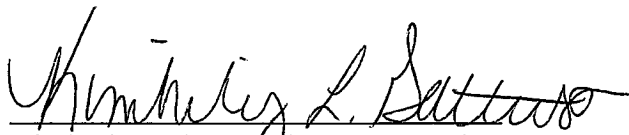
NO. 07-cv-00335-SLR

**CERTIFICATE OF SERVICE**

I, Kimberly L. Gattuso , hereby certify that on this 29<sup>th</sup> day of June 2007, I did cause a true and correct copy of the foregoing **Motion for Entry of Default Judgment Pursuant To Fed. R. Civ. P. 55(a)** to be served via First Class U.S. Mail, postage prepaid, upon the following:

Cruisenet Corp.  
c/o David M. Glassberg, Registered Agent  
1365 SW 73<sup>rd</sup> Avenue  
Miami, FL 33126

SAUL EWING LLP



Kimberly L. Gattuso (DE No. 3733)  
222 Delaware Avenue, Suite 1200  
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